| | Application No. | Applicant(s) |
|---|---|---|
| **Notice of Allowability** | 10/699,980 | ONO ET AL. |
| | Examiner | Art Unit | |
| | HELEN SHIBRU | 2621 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--*

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *12/04/2007*.

2. ☒ The allowed claim(s) is/are *1-3, 8-11, 16-19 and 24 as renumbered*.

3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All    b) ☐ Some*    c) ☐ None    of the:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

        3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the

           International Bureau (PCT Rule 17.2(a)).

    * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

    (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached

        1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

    (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

        Paper No./Mail Date _____ .

    Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☒ Information Disclosure Statements (PTO/SB/08),
    Paper No./Mail Date 07/30/2007

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application

6. ☒ Interview Summary (PTO-413),
    Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☐ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

## EXAMINER'S AMENDMENT

1.      An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with William S. Frommer on December 6, 2007.

Claims 17-19 and 24 are amended.

Claim 17. <u>A computer readable medium having a program embodied therein, the</u>

a program for causing a computer to perform an information processing method for

scheduling order of data reading from a recording medium, the information processing

method comprising:

a first sorting step for sorting data items recorded on the recording medium

based on playback times of the data items, the first sorting step comprising (i) a first

detecting step for detecting, from data items which have not been moved to a first

queue among the data items recorded on the recording medium, a data item having

earliest playback time, and (ii) a first moving step for moving and storing the data item

detected in the first detecting step in the first queue; and

a second sorting step for sorting, based on recording positions of the data items

on the recording medium, the data items sorted based on the playback times thereof in

the first sorting step, and using the sorting result as a result of scheduling the order of

data reading from the recording medium, the second sorting step comprising (i) a

setting step for setting a schedule window corresponding to a range of the data items stored in the first queue, the range of the data items being subject to sorting based on the recording positions of the data items on the recording medium, (ii) a second detecting step for detecting, based on the recording positions of the data items on the recording medium, from the range of the data items in the schedule window, a data item to be moved to a second queue, (iii) a second moving step for moving the data item detected in the second detecting step to the second queue, (iv) a first determination step for determining whether or not the second queue is empty, and ('v) a second determination step for determining whether or not the range of the data items in the schedule window includes a data item recorded behind the recording position on the recording medium of the end data item of the second queue; and wherein:

when the second queue is empty, from the range of the data items in the schedule window, a data item which has an initial recording position on the recording medium is detected in the second detecting step;

when the second queue is not empty, and the range of the data items in the schedule window does not include a data item which is recorded behind the recording position on the recording medium of the end data item of the second queue, from the range of the data items in the schedule window, a data item which has an initial recording position is detected in the second detecting step; and

when the second queue is not empty, and the range of the data items in the schedule window includes a data item recorded behind the recording position on the

recording medium of the end data item of the second queue, in the second detecting step, from the range of the data items in the schedule window, a data item is detected which is recorded behind the recording position on the recording medium of the end data item of the second queue and which is closest to the recording position on the recording medium of the end data item of the second queue.

Claim 18. The computer readable medium according to claim 17, wherein at least one of video data and audio data is recorded in predetermined units on the recording medium.

Claim 19. The computer readable medium according to claim 18, wherein the video data and the audio data in the predetermined units are alternately recorded on the recording medium.

Claim 24. The computer readable medium according to claim 17, wherein: the sorting step further comprises a third determination step for determining whether or not the data item moved to the second queue has been positioned at the start of the schedule window; and

when the data item moved to the second queue has been positioned at the start of the schedule window, in the setting step, the schedule window is reset.

*Conclusion*

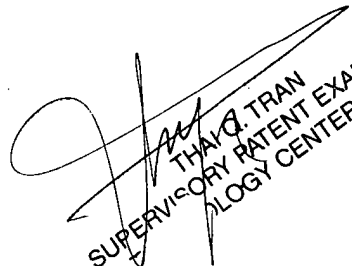2.      Any inquiry concerning this communication or earlier communications from the

examiner should be directed to HELEN SHIBRU whose telephone number is (571) 272-

7329.  The examiner can normally be reached on M-F, 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, THAI Q. TRAN can be reached on (571) 272-7382.  The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system.  Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Helen Shibru
December 6, 2007